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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,453	07/27/2001	David J. Green	0325.00487	8728

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EXAMINER

EHICHIOYA, FRED I

ART UNIT PAPER NUMBER

2172

DATE MAILED: 09/15/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/916,453

Applicant(s)

GREEN ET AL.

Examiner

Fred I. Ehichioya

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 - 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

**DETAILED ACTION**

1. Claims 1 – 20 are pending in this office action.
2. Information Disclosure Statement(s) (PTO-1449) on Paper No. 2 has been considered.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 8, 9, 10, 11, 18, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,128,871 issued to Nicholas A. Schmitz (hereinafter "Schmitz").

Regarding claim 1, Schmitz teaches a method of generating a file suitable for programming a programmable logic device, the method comprising the steps of:

(A) generating a programming item from a plurality of parameters that define a program for said programmable logic device (see column 1, lines 56 – 67 and column 6, lines 20 – 22);

(B) storing said programming item in a programming field of said file in response to generating (see column 6, lines 18 – 20); and

(C) storing at least one of said parameters in a non-programming field of said file (see column 1, lines 34 – 35).

It is noted that although Schmitz discloses "programming item" as shown in column 1, lines 56 – 67, Schmitz did not explicitly detail "storing said programming item in a programming field . . . and storing at least one of said parameters in a non-programming field of said file." However, Schmitz discloses in column 6, lines 18 – 20 that "the system stores the user design and product information in several data structures in the main memory". One of ordinary skill in the art would have found it obvious that the JEDEC file is a computer file containing information about the programming of a programmable device. The motivation is that JEDEC files enable the

programmer to program the logic device for the efficient performance of the logic function of the programmable logic device.

Regarding claims 8 and 18, Schmitz teaches the step of storing an identification item configured to identify said programmable logic device in a second on-programming field of said file (see column 2, lines 55 – 57 and column 30, lines 40 – 49).

Regarding claims 9 and 19, Schmitz teaches the step of bracketing said non-programming field with a pair of delimiters (see Fig.26; column 18, lines 26 – 31 and column 30, lines 9 – 13).

Regarding claim 10, Schmitz teaches the steps of:

generating an error detection item (see column 3, lines 29 – 30);

storing said error detection item in a second non-programming field of said file (see column 3, lines 30 – 34 and column 16, lines 17 – 20);

storing another of said parameters in a third non-programming field of said file (see column 3, lines 5 – 18 and column 30, lines 54 – 60);

storing an identification item in a fourth non-programming field of said file (see column 2, lines 55 - 57); and

bracketing a combination of said non-programming field, said second non-programming field, said third non-programming field, and said fourth non-programming

field with a pair of delimiters (see Fig.26; column 18, lines 26 – 36 and column, lines 9 – 13).

Claim 11 is essentially the same as claim 1, except that it sets forth the claim invention as a storage medium for use in a computer to generate a file rather than a method of generating a file and therefore rejected for the same reason as applied herein above.

Claim 20 is essentially the same as claim 1, except that it sets forth the claim invention as a system rather than a method of generating a file and therefore rejected for the same reason as applied herein above.

5. Claims 2, 3, 4, 5, 6, 7, 12, 13, 14, 15, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,128,871 issued to Nicholas A. Schmitz (hereinafter "Schmitz") in view of U.S. Patent 6,255,848 issued to David P. Schultz et al (hereinafter "Schultz").

Regarding claims 2 and 12, Schmitz discloses the claimed subject matter as discussed in claims 1 and 11 respectively. Schmitz discloses in column 6, lines 18 – 20 that "the system stores the user design and product information in several data structures in the main memory". Schmitz does not explicitly teach storing a frequency parameter in said non-programming field.

However, Schultz teaches storing is storing a frequency parameter in said non-programming field (see column 20, lines 36 – 67 and column 21, lines 1 – 6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Schmitz with the teaching of Schultz wherein control parameters and clock frequency are stored in several data structures in the main memory. The clock frequency indicates the frequency parameter. By writing the clock frequency command word to command register, the order in which the programming steps are performed is determined. The motivation is that clock frequency determines the order of bit streams, which is very important in the effective operation of the programmable logic device.

Regarding claims 3 and 13, Schultz teaches the step of second storing one of said parameters in a second non-programming field of said file (see column 2, lines 65 - 67 and column 3, lines 1 - 15).

Regarding claims 4 and 14, Schultz teaches said second storing is storing a frequency parameter in said second non-programming field (see column 21, lines 2 - 6).

Regarding claims 5 and 15, Schultz teaches the steps of:

Generating an error detection item (see column 14, line 67); and

storing said error detection item in a second non-programming field of said file (see column 15, lines 48 – 52).

Regarding claims 6 and 16, Schultz teaches error detection item is a cyclic redundancy check checksum (see column 3, lines 31 – 40 and column 14, lines 11 – 16).

Regarding claims 7 and 17, Schultz teaches cyclic redundancy check checksum is configured to detect a bit swap within said file (see column 14, lines 29 – 38).

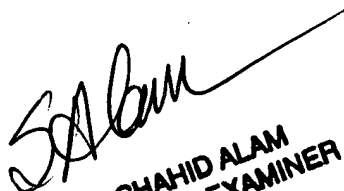
### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred I. Ehichioya whose telephone number is 703-305-8039. The examiner can normally be reached on M - F 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-303-3900.

Fred I. Ehichioya  
Examiner  
Art Unit 2172  
September 5, 2003

  
**SHAHID ALAM**  
**PRIMARY EXAMINER**